

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.33808 of 1997

Dated 20th Day of February, 2007

Between:

**Weaker Sections Welfare Association,
Bheemavaram, rep. by its Secretary,
Veeramallu Ravi Prasada Rao
and 27 others**

.. Petitioners

And

The Govt. of A.P.,
rep. by its Secretary,
Endowments Department
Secretariat, Hyderabad
and six others.
Respondents

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents 3 and 4 in trying to evict the petitioners from the land of an extent of Ac.0.90 cents in S.No.448 situated in Bhimavaram, West Godavari District, as arbitrary and illegal and consequently direct the respondents to sell the property at a price at which the adjacent lands belonging to Sri Bhimeshwara Swami Devasthanam, Bhimavaram were sold in the public auction held on 25.1.1996.

The brief facts of the case are that the petitioners occupied an extent of Ac.0.90 cents of land belonging to Sri Bhimeswara Swamy Devasthanam, Bhimavaram and ever since they have been in possession of it without any interruption. According to the petitioners, they are all persons belonging to weaker sections and they are ready to pay an amount of Rs.4,05,000/- for the said land provided it is put to sale. However, the Government fixed the basic value of the land in question at Rs.600/- per square yard. Subsequent to the filing of the writ petition, the Government issued G.O.Ms.No.405 dated 4.7.2002 enumerating certain guidelines for sale of temple lands. According to the terms of the Government Order, the Joint Collector is the Chairman of the District Level Committee. The petitioners approached the Joint Collector and gave a representation requesting him to put the lands to sale keeping in mind that they are landless poor persons. Now, the petitioners' grievance is that pending consideration of their

representation, the 3rd and 4th respondents are trying to evict them from the land in question.

Heard the learned counsel for both the parties.

Having regard to the fact that the representation given by the petitioners is pending with the Joint Collector, this Court deems it appropriate to direct the Joint Collector, who is added as 7th respondent in the writ petition, to consider the case of the petitioners and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No costs.

bcj

20.02.2007